

UNITED STATE DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

CITY OF SEATTLE, a municipal
corporation,

Plaintiff(s),

v.

INSITUFORM TECHNOLOGIES, LLC, a
Missouri Corporation.

Defendant(s).

NO. 2:18-cv-1523

NOTICE OF REMOVAL

TO THE CLERK OF THE COURT:

PLEASE TAKE NOTICE that defendant Insituform Technologies, LLC, hereby files its
Notice of Removal pursuant to 28 U.S.C. § 1441(b) on the following grounds:

1. This state court action was commenced in King County Superior Court on
September 26, 2018, and served on Insituform Technologies, LLC on October 1, 2018. All named
defendants have been served. The earliest deadline for Insituform Technologies, LLC to answer
the Complaint would be October 22, 2018. The defendant has not filed any pleadings in this
matter besides a Notice of Appearance.

2. This is a civil action of which this Court has original jurisdiction under 28 U.S.C. §
1332 and is one which may be removed to this Court by defendant Insituform Technologies, LLC

NOTICE OF REMOVAL - 1
10691-0002 5520640.docx
NO. 18-2-24094-8

PREG O'DONNELL & GILLET PLLC

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1 pursuant to the provision of 28 U.S.C. § 1441(b) in that it is a civil action between citizens of
2 different states, and according to the allegations in the Complaint, the amount in controversy totals
3 \$118,368.89, exceeding the threshold sum of \$75,000, exclusive of alleged interest and costs.

4 3. This Notice of Removal is filed within the time prescribed by 28 U.S.C. § 1446(b).

5 4. Complete diversity of citizenship exists in that: Plaintiff is a citizen of the State of
6 Washington; and defendant Insituform Technologies, LLC being incorporated in the State of
7 Delaware and having its principal place of business in the State of Missouri, and is the only served
8 Defendant. Insituform Technologies, LLC members David Morris and Charles Gordon are
9 citizens of the State of Missouri, and the third member, Aegion Corporation, is incorporated in
10 Delaware with its principal place of business in the State of Missouri.

11 5. Defendant Insituform Technologies, LLC will give notice of the filing of this Notice
12 of Removal to Plaintiff and will file a copy of this Notice of Removal with the Superior Court of the
13 State of Washington for King County as required by 28 U.S.C. § 1446(d).

14 WHEREFORE, Defendant Insituform Technologies, LLC respectfully requests that the
15 state court Complaint be removed to this Court.

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1 DATED this 16th day of October, 2018.

2 PREG O'DONNELL & GILLETT PLLC

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4 By /s/ Eric P. Gillett
Eric P. Gillett
WSBA #23691

5
6 By /s/ David M. Poore
David M. Poore
WSBA #35859

7
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DECLARATION OF SERVICE

I hereby declare that on this day I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the attorneys of record listed below:

Counsel for Plaintiff City of Seattle:

Joseph G. Groshong, Esq.
Seattle City Attorney's Office
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Seattle, WA 98104-7097
joseph.groshong@seattle.gov

DATED at Seattle, Washington, this 16th day of October, 2018.

s/ Andrea Anthony
Andrea Anthony